

2011 DRAFTING REQUEST

Bill

Received: **12/21/2011**

Received By: **jkreye**

Wanted: **As time permits**

Companion to LRB:

For: **Evan Wynn (608) 266-9650**

By/Representing: **brandon**

May Contact:

Drafter: **jkreye**

Subject: **Elections - miscellaneous**

Addl. Drafters: **jkuesel**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.wynn@legis.wi.gov**

Carbon copy (CC:) to: **joseph.kreye@legis.wisconsin.gov**
jeffery.kuesel@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Prohibit bribery to induce a person to sign a recall petition

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			Crime
/1	jkreye 12/21/2011	kfollett 12/21/2011	jmurphy 12/22/2011	_____	ggodwin 12/22/2011	ggodwin 01/03/2012	

FE Sent For:

None

<END>

2011 DRAFTING REQUEST

Bill

Received: **12/21/2011**

Received By: **jkreye**

Wanted: **As time permits**

Companion to LRB:

For: **Evan Wynn (608) 266-9650**

By/Representing: **brandon**

May Contact:

Drafter: **jkreye**

Subject: **Elections - miscellaneous**

Addl. Drafters: **jkuesel**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.wynn@legis.wi.gov**

Carbon copy (CC:) to: **joseph.kreye@legis.wisconsin.gov**
jeffery.kuesel@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Prohibit bribery to induce a person to sign a recall petition

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			Crime
/1	jkreye 12/21/2011	kfollett 12/21/2011	jmurphy 12/22/2011	_____	ggodwin 12/22/2011		

FE Sent For:

<END>

2011 DRAFTING REQUEST

Bill

Received: 12/21/2011

Received By: jkreye

Wanted: As time permits

Companion to LRB:

For: Evan Wynn (608) 266-9650

By/Representing: brandon

May Contact:

Drafter: jkreye

Subject: Elections - miscellaneous

Addl. Drafters: jkuesel

Extra Copies:

Submit via email: YES

Requester's email: Rep.wynn@legis.wi.gov

Carbon copy (CC:) to: joseph.kreye@legis.wisconsin.gov
jeffery.kuesel@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Prohibit bribery to induce a person to sign a recall petition

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkreye	1/1/11 12/21	12/21 JM 12/22	M JM 12/22			
FE Sent For:							
<END>							

Miller, Steve

From: Champagne, Rick
Sent: Wednesday, December 21, 2011 11:07 AM
To: Miller, Steve
Subject: Draftin request for Rep. Wynn

Steve, I was given a call from Brandon in Rep. Wynn's office that was for Jeff Kuesel and they have a drafting request that they want done immediately. It is to amend s. 12.11 (2) to include the signing of recall papers. I tried to tell them that Jeff is due back in on the 28th and that it is in their interest to make sure it is done correctly by him and that it is just outside of mt area of legal expertise. But they would like for me to run this up the chain of command here to see if it can be drafted right away. I told Brandon I would pass this along to you. His number is 6-9650.

Rick

- ▷ prohibit offering something of value
in exchange for signing a petition
- ▷ crime tag

Kreye, Joseph

From: VerVelde, Brandon
Sent: Wednesday, December 21, 2011 3:17 PM
To: Kreye, Joseph; Karls-Ruplinger, Jessica
Subject: RE: Recall Petition Bribery

That sounds good to me, as well. We would like it to apply to both to sign a recall petition and to not sign a recall petition.

Thanks,

Brandon

--

Brandon P. VerVelde

Office of Rep. Evan Wynn
Follow Evan on [Facebook](#) and [Twitter](#)!

(608) 266-9650
Brandon.vervelde@legis.wi.gov

From: Kreye, Joseph
Sent: Wednesday, December 21, 2011 3:14 PM
To: Karls-Ruplinger, Jessica; VerVelde, Brandon
Subject: RE: Recall Petition Bribery

Thanks Jessica.

Joe

Joseph Kreye
Senior Legislative Attorney
Legislative Reference Bureau
608 266-2263

From: Karls-Ruplinger, Jessica
Sent: Wednesday, December 21, 2011 3:13 PM
To: Kreye, Joseph; VerVelde, Brandon
Subject: RE: Recall Petition Bribery

Joe,

I just received your email after sending my previous email. I think your approach is probably better than amending s. 12.11 (2).

Jessica

Jessica Karls-Ruplinger
Senior Staff Attorney

Wisconsin Legislative Council
(608) 266-2230
Jessica.Karls@legis.wisconsin.gov

From: Kreye, Joseph
Sent: Wednesday, December 21, 2011 3:04 PM
To: VerVelde, Brandon; Karls-Ruplinger, Jessica
Subject: RE: Recall Petition Bribery

Brandon,

The LRB number for your request is 3674.

Rather than amend s. 12.11 (2), it may be better to add something to the list of prohibited activities under s. 12.11 (1m) (a). Section 12.11 (1m) (a) reads as follows:

"12.11(1m) intro.) Any person who does any of the following violates this chapter:

(a) (intro.) Offers, gives, lends or promises to give or lend, or endeavors to procure, anything of value, or any office or employment or any privilege or immunity to, or for, any elector, or to or for any other person, in order to induce any elector to:

1. Go to or refrain from going to the polls.
2. Vote or refrain from voting.
3. Vote or refrain from voting for or against a particular person.
4. Vote or refrain from voting for or against a particular referendum; or on account of any elector having done any of the above."

I would suggest creating a subdivision 5 to read:

"5. Sign or refrain from signing a recall petition."

I have cc'd Jessica to get her opinion on this.

Joe

Joseph Kreye
Senior Legislative Attorney
Legislative Reference Bureau
608 266-2263

From: VerVelde, Brandon
Sent: Wednesday, December 21, 2011 2:45 PM
To: Karls-Ruplinger, Jessica
Cc: Kreye, Joseph
Subject: Recall Petition Bribery

Jessica,

Pending your review of the statutes, I have asked the LRB to draft a bill for Rep. Wynn to make giving someone something of value to sign a recall petition a crime under 12.11. It appears that it might be as simple as adding that provision on to (2) of 12.11.

Jeff Kuesel is the usual drafter of election-related legislation, but he is out for a week. Mr. Kreye is going to attempt to draft something that is workable.

I don't know if this is "allowed" or not, but if Mr. Kreye has questions regarding the draft, may he contact you?

Thanks,

Brandon

--

Brandon P. VerVelde

Office of Rep. Evan Wynn
Follow Evan on [Facebook](#) and [Twitter](#)!

(608) 266-9650
Brandon.vervelde@legis.wi.gov



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-3674/1

JK&JTK: *gf*

2011 BILL

in 12-21-11

due Friday 12-23

Gen

- 1 AN ACT ...; relating to: offering anything of value to induce someone to sign or
2 not sign a recall petition and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a person who offers anything of value to induce an elector to do any of the following is guilty of a Class I felony:

1. Go or refrain from going to the polls.
2. Vote or refrain from voting.
3. Vote or refrain from voting for or against a particular person.
4. Vote or refrain from voting for or against a particular referendum. ✓

Under this bill, a person who offers anything of value to induce an elector to sign or refrain from signing a recall petition is also guilty of a Class I felony.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 SECTION 1. 12.11 (1m) (a) 5. of the statutes is created to read:
4 12.11 (1m) (a) 5. Sign or refrain from signing a recall petition.

5 (END)

Godwin, Gigi

From: VerVelde, Brandon
Sent: Tuesday, January 03, 2012 11:05 AM
To: LRB.Legal
Subject: Draft Review: LRB 11-3674/1 Topic: Prohibit bribery to induce a person to sign a recall petition

Please Jacket LRB 11-3674/1 for the ASSEMBLY.